THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5396 of 2006

Dt.20.3.2006

Between:

Ch.Dasaradha Ramireddy … Petitioner

And

The Commissioner of Settlements,

Andhra Pradesh, Hyderabad and 2 others.

…Respondents

ORDER:

Petitioner questions the action of the respondents in trying to dispossess the petitioner from the land admeasuring Ac.4.00 in S.No.125/1 part and Ac.4.15 cents in S.No.154 part of Puchalapalli Village, Kota Mandal, Nellore District, as illegal and arbitrary.

The case of the petitioner is that the petitioner has been in continuous possession and enjoyment of land admeasuring to an

extent of Ac.4.00 in S.No.125/1 part and Ac.4.15 cents in S.No.154 part in Puchalapalli Village, Kota Mandal, Nellroe District. It is stated that the father of the petitioner filed an application before the Settlement Officer, Nellore – 2nd respondent for grant of ryotwari patta under the provisions of Estates Abolition Act, 1948 (for short 'the Act') along with an application to condone the delay and the same has been rejected by the 2nd respondent. As against the said order, revision has been filed under Section 5(2) of the Act before the Commissioner and Director of Settlements, Hydeabad. The first respondent by order dated 27.11.2004 in R.P.No.8/94/E2 remanded the matter to the 2nd respondent for proper disposal. It is stated that the matter is still pending before the 2nd respondent. It is stated that though the matter is pending before the 2nd respondent, the Mandal Revenue Officer, Kota Mandal is threatening to dispossess the petitioner from the lands in question.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion on the merits of the case. However, as the matter is pending before the 2nd respondent, the 2nd respondent is directed to consider and dispose of the same pursuant to the orders of the first respondent on 27.11.2004, if not already disposed of. Till then, status quo obtaining as to day with regard to the possession of the lands in question shall be maintained.

The writ petition is accordingly disposed of. No order as to costs.

V.ESWARAIAH, J.

20.3.2006

kpr